12-17-99.

CONTINUING PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

CHECK BOX, if applicable

Submit an original, and a duplicate for fee processing.

***Dnly for Continuation or Divisional applications under 37 CFR 1.53(d))

| Address to: | Attorney Docket No. | 201 <u>11-0014</u> | | |
|---|--|--------------------|--|--|
| Address to: | Named Inventor(s) | | | |
| Assistant Commissioner for Patents Box CPA Washington, DC 20231 | Yoshihiko Higuchi Kenji Yamamoto Michio Naka | | | |
| | Examiner Name | Lyle A. Alexander | | |
| | Group/Art Unit | 1743 | | |
| | Express Mail Label No. | EL397834048US | | |

| This is a | reque | st for a | a 🖂 co | ontinua | ıtion or [| | divisic | nal | applica | tion unde | er 37 CF | R 1. | 53(d), | , |
|------------|-------|----------|----------|---------|------------|------|---------|------|----------|-----------|----------|------|--------|----|
| (continued | d pro | secutio | n appli | cation | (CPA)) | of p | orior | app | lication | number | 08/959 | ,125 | filed | OI |
| October | 28, | 1997 | entitled | Dry | Measu | ring | Tes | st I | Device | | | | | |

<u>NOTES</u>

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b), or (2) the national stage of an international application in compliance with 35 U.S.C. 371. A Notice will be placed on a patent issuing from a CPA, except for reissues and designs, to the effect that the patent issued on a CPA and is subject to the twenty-year patent term provisions of 35 U.S.C. § 154(a)(2). Therefore, the prior application of a CPA may have been filed before, on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in this file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

| 1 | \boxtimes | Enter the unentered amendment previously filed on October 15, 1999 under 37 CFR 1.116 in the prior nonprovisional application. |
|----------|-------------|---|
| 2\ 3. | | A preliminary amendment is enclosed. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)(4). |
| | a. | DELETE the following inventor(s) named in the prior nonprovisional application: |
| | | |
| 4. 5. | b. | The inventor(s) to be deleted are set forth on a separate sheet attached hereto. A new power of attorney or authorization of agent is enclosed. Information Disclosure Statement (IDS) is enclosed: |
| | a. b. | PTO-1449 12/20/1999 DVUONG 00000073 08959125 12/20/1999 DVUONG 00000073 08959125 12/20/1999 DVUONG 00000073 08959125 12/20/1999 DVUONG 00000073 08959125 |

| | | NUMBER | NUMBER | | | |
|--------|--|-------------|-----------|-----------|--------------|--|
| CLAIMS | FOR | FILED | EXTRA | RATE | CALCULATIONS | |
| | TOTAL CLAIMS | 5 - 20* = | 0 | x \$18 = | \$ 0 | |
| | INDEPENDENT | 5 - 3** = | 1 | x \$78 = | 0 | |
| | CLAIMS | | | | | |
| | MULTIPLE DEPEN | DENT CLAIMS | + \$260 = | | | |
| | | 196 | | BASIC FEE | \$760 | |
| | Total of above Calculations = | | | | | |
| | Reduction | | | | | |
| | *Reissue claims in exce **Reissue independent | | TOTAL = | \$760 | | |

| | 100 77 | to the second | neduction by 50% for filling by small | | |
|-------------------|------------------|---------------|--|-----------|------------------------|
| | | | *Reissue claims in excess of 20 and over original patent. **Reissue independent claims over original patent. | TOTAL = | \$760 |
| 6. | Sma a. b. | | y status: A small entity statement is enclosed, if (b) and (o A small entity statement was filed in the prior no still proper and desired. Is no longer claimed. | | cation and such status |
| 7. | \boxtimes | A che | ck in the amount of \$760 is enclosed. | | |
| 8. | \boxtimes | | if 7. applies] The Commissioner is hereby authonal fees under 37 CFR 1.16 or 1.17 to Deposit A | | |
| 9. | a. b. | = | Receipt for Facsimile Transmitted CPA Return Receipt Postcard (Should be specifically | itemized) | |
| 10. | | Other: | | | |
| | | | | | |
| | | | | | |
| NO | TE: | | The prior application's correspondence address w correspondence address is provided below. | | is CPA UNLESS a ne |
| | | | correspondence address is provided below. | | しゅうしん せんしょかな やがく ニュン・ |
| 10. | ١ | | | | しゅうしん せんしょかな やがく ニュン・ |
| Nan | ١ | | correspondence address is provided below. | | しゅうしん せんしょかな やがく ニュン・ |
| 10. <i>Nan</i> | N ne Iress | | correspondence address is provided below. | | |

| 11. SIGNATURE | OF APPLICANT OR ATTORNEY REQUIRED | |
|------------------|-----------------------------------|--|
| Name | William L. Warren | |
| Signature | Millian Ca Millian | |
| Registration No. | 36,714 | |
| Date | Delauter 16, 1999 | |

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